CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **ADOPTION OF SUPPLEMENTARY PLANNING GUIDANCE**

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FOR DECISION

Purpose

This paper seeks the Board's agreement to adopt a number of other pieces of Supplementary Planning Guidance to accompany the Cairngorms National Park Local Plan 2010.

Recommendation

That the Board adopt the following pieces of Supplementary Planning Guidance to accompany the Cairngorms National Park Local Plan 2010:

i. Developer Contributions;
ii. Wildness;
iii. General Development and Carbon Sinks and Stores

Executive Summary

The Cairngorms National Park Authority has a duty to prepare a Local Plan for the National Park and recently adopted the Cairngorms National Park Local Plan in October 2010. In order to provide further detail on a variety of topics, a suite of Supplementary Planning Guidance has also been prepared – a number of these have already been approved in 2010.

The guidance supports the adopted Local Plan, and forms a material consideration in the determination of planning applications, and at appeals.

A range of topics is covered by Supplementary Planning Guidance, and this paper brings forward the second group for formal approval.

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ADOPTION OF SUPPLEMENTARY PLANNING GUIDANCE – FOR DECISION

Background

1. The Board will be aware of the initial 6 week consultation period undertaken on these pieces of Supplementary Planning Guidance, this was extended by a further 2 weeks following requests from a number of local organisations. The consultation ran from March to May 2011 during which time draft documents were made widely available. Comments were received from various individuals and organisations. An informal post-consultation Board discussion was held after the Planning Committee on 24 June 2011 where a number of further alterations were suggested.

2. Since the end of the consultation, all of the comments received have been fully considered. Every comment received has been carefully looked at by staff, and then recommendations made on how to address the issues raised, and whether or not to make the changes suggested. It is unsurprising that some of the comments received were contradictory, and so a judgement has had to be made on which approach to take. Although not all of the suggestions made have been incorporated into the final documents, many of them have been taken on board in the revised documents.

3. The responses received were very constructive, it was good to see so many individuals and organisations taking an interest in the guidance, and putting forward their views and suggestions as to how they could be improved.

Responses to the consultation

4. In general, the response to the draft documents has been positive, but there were a number of suggestions made for changes. These are summarised for each document in the following sections.

Developer Contributions

5. There was a significant amount of discussion and debate prompted by this guidance. Much of this was due in part due to the lack of understanding of the adopted Local Plan policy (Policy 18 – Developer Contributions), and therefore the role of guidance. There was a lot of confusion about the respective roles and approaches to developer contributions and affordable housing. A series of meetings were held during the consultation period to allay some concerns and clarify many of the issues and confusion that exists.

6. A number of respondents wished to see the Developer Contributions SPG abandoned; however, this is not an option as the approach is already laid down as Local Plan policy 18. We have elected to provide additional clarity for the reader so a better understanding of the issues can be developed.

7. A more positive preamble has been introduced setting out that the SPG is the starting point for negotiations, takes a pragmatic approach and should not be seen as a brake on development or a 'tax', rather that it is helping deliver essential infrastructure for development to come forward. More case study examples, a clearer description of the role of community councils and a flow chart detailing differences between affordable housing and developer contributions have also been provided.

Wildness

8. This SPG is widely supported by all who responded to the consultation. It was seen that on the whole the document was helpful; however comments were received about map 2 that contained a typology of wildness. This map has been removed and alterations made to map 1 to offset this removal. Mention was also made about hilltracks, risk of creeping designations and how development can enhance wildness, and many of these were given extra emphasis in the SPG.

9. Some parties wanted the current discussions with Scottish Government about National Scenic Areas and hill tracks to be included, however because this is not yet decided upon, it was felt this may confuse the issue. We shall review this once any new arrangements are in force.

10. A number of other suggestions have not been included, including reference to the John Muir Trust awards scheme as it does not readily fit within the document and the need for further case study examples of enhancements. Several examples are suggested in the text already and though a fully worked example would be useful because the potential types are so wide ranging, it may channel thinking in one direction only. It would also make the document longer.

General Development and Carbon Sinks and Stores (formerly Carbon Emissions)

11. Very few comments were received on this SPG; however those submitted were constructive and helpful. As a result of these, the name of the guidance has been altered, as has its scope, moving to a narrower focus relating to general development (ie tracks and extractions, not buildings – see the Sustainable Design Guide for this) and its impact on carbon sinks and stores such as peat, sensitive soils and woodlands.

12. More policy context was brought into the SPG, along with clarity on what types of development were and were not included within it, and what carbon sinks and stores are.

Implementation of the Supplementary Planning Guidance

13. Once adopted, the Supplementary Planning Guidance will become a material consideration in the determination of applications. CNPA staff will work with the planning officers in the Local Authorities to ensure the guidance is applied consistently in decisions.

Conclusion

14. In conclusion, the completion of this group of Supplementary Planning Guidance is yet another important step closely related to the adoption of the Local Plan. It means that applicants now have a significant amount of additional guidance on how to comply with the Local Plan policies, and it is hoped this will lead to a better understanding of what is expected of proposals in the National Park, and what associated information is required to be submitted with any individual planning application.

Recommendation

15. That the Board adopt the following pieces of Supplementary Planning Guidance to accompany the Cairngorms National Park Local Plan 2010:

i. Developer Contributions
ii. Wildness
iii. General Developments and Carbon Sinks and Stores

Implications

Financial Implications

16. The budget for publication and adoption of the Supplementary Planning Guidance is planned for in the agreed Operational Plan. The staff resources required to undertake this work will fit within existing work programmes.

Implications for Stakeholders

17. The constituent Local Authorities will use the adopted Local Plan, and all of the accompanying Supplementary Planning Guidance in determining those applications submitted in the Park but not called in by CNPA. Developers, key agencies, infrastructure undertakers, community groups and residents will also use the Local Plan and Supplementary Planning Guidance to guide and inform further development work in the Park. It will be a necessity to continue to work closely with all involved to ensure a clear and widespread understanding of the Local Plan and associated Supplementary Planning Guidance and how it is to be used once adopted.

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